

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
KEVIN SMITH,

Petitioner,

-against-

HONORABLE A.F. BEELER, HONORABLE  
ALBERTO GONZALEZ, *et al.*,

Respondents.  
-----X

JUDGMENT  
05-CV- 3220 (SLT)

IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★ OCT 20 2005 ★

PM \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

A Memorandum and Order of Honorable Sandra L. Townes, United States District Judge, having been filed on September 21, 2005, denying the petition for a writ of habeas corpus for the reasons stated in the Letter Memorandum filed by the United States Attorney, dated August 2, 2005; and dismissing the petition with prejudice for lack of subject matter jurisdiction and on the merits; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondents; that the petition for a writ of habeas corpus is denied; and that the petition is dismissed with prejudice for lack of subject matter jurisdiction and on the merits.

Dated: Brooklyn, New York  
September 21, 2005

ROBERT C. HEINEMANN  
Clerk of Court